

IN THE DRAWINGS:

Please amend the drawings as follows.

The attached replacement sheets of drawings include changes to Figures 5, 6, and 9.

The first sheet, which includes Fig. 5, replaces the original sheet including Fig. 5. In Figure 5, reference character 85 has been deleted.

The second sheet, which includes Fig. 6, replaces the original sheet including Fig. 6. In Figure 6, reference character 85 has been deleted.

The third sheet, which includes Fig. 9, replaces the original sheet including Fig. 9. In Figure 9, reference character 162 has been deleted.

REMARKS

Claims 1-43 were pending in the application. Claims 38-39 have been cancelled. Claims 3, 17, 29-31, and 43 have been amended. Claim 44-45 has been added. Accordingly, claims 1-37 and 40-45 remain pending in the application.

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(3)-(p)(5). Except for the objections described below, Applicant has amended the specification and drawings to overcome these objections. With respect to the 37 CFR 1.84(p)(5) objection, Applicant notes that reference character 24' is mentioned in the specification on page 15, line 19; reference character 26' is mentioned on page 12, line 19, and page 13, line 2; and reference character 92 is mentioned on page 27, line 21. With respect to the 37 CFR 1.84(p)(3) objection, Applicant notes that the USPTO received formal drawings on September 30, 2002 (as evidenced by the enclosed postcard). The formal drawings corrected the error noted by the Examiner. Applicant has enclosed a copy of the previously submitted formal drawings for the Examiner's convenience.

The Examiner objected to claims 3, 17, 29, and 43. Applicant has amended these claims to overcome this objection.

35 U.S.C. 101 rejection

Claims 29-37 and 39-41 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended claims 29-37 and 40-41 and cancelled claim 39 to overcome this rejection.

Provisional Double Patenting Rejection

Claims 1-43 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-36 of co-pending Application No. 09/930,384. In view of the enclosed terminal disclaimer, the Applicant respectfully requests the examiner to remove the obviousness-type double patenting rejection.

35 U.S.C. § 102 Rejection

Claims 1-2, 5-7, 12-14, 17-18, 22, 25-26, 29-30, 34, and 37-43 were rejected under 35 U.S.C. 102(e) as being anticipated by Craig et al. (U.S. Patent No. 6,260,111). Applicant respectfully traverses this rejection.

Applicant reminds the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (Emphasis added)

Applicant's claim 1 recites:

1. A portable storage device containing a network identity and configuration information for a processing unit that is connectable to a data communications network and includes a device reader for reading the portable storage device, the portable storage device comprising storage and an access controller, the storage holding a network identity and configuration information for the processing unit.

Applicant respectfully submits that Craig fails to teach or suggest "A portable storage device containing a network identity and configuration information" or "the portable storage device comprising storage...the storage holding a network identity and configuration

information” as recited by claim 1. Instead, Craig teaches techniques for securely storing “user information including a user identification and password as well as user preferences and power management information” (Craig, col. 6, lines 38-52). However, Craig fails to teach or suggest storing “user information” includes storing “network identity and configuration information” as recited by claim 1. (see also page 15, lines 8-19 of Applicant’s Specification)

Furthermore, Applicant respectfully submits that Craig fails to teach or suggest “the portable storage device comprising...an access controller”. Craig does not teach or suggest an internal access controller or any other element that controls access to the internal storage.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 17, 29, 42, and 43 are patentably distinct from Craig. The dependent claims provide additional limitations to the independent claims and are patentably distinct for at least the same reasons as the independent claims.

Furthermore, Applicant requests examination of new claims 44 and 45. Applicant respectfully submits that Craig fails to teach or suggest “wherein the processing unit is further operable to dynamically modify the configuration information stored in the storage of the portable storage device during use in response to changes in a configuration of the processing unit” as recited by claim 44, and “wherein the processing unit is further operable to dynamically modify the configuration information describing current operational conditions of software being run by the processing unit and current operational conditions of hardware components of the processing unit” as recited by claim 45. In accordance, claims 44 and 45 are believed to patentably distinguish over the cited reference.

35 U.S.C. § 103 Rejections

Claims 3, 4, 9, 19, and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Craig in view of Dancs et al. (USPN 6,108,789). Claims 8, 10, 11, 20, 21, 32, and 33 were rejected

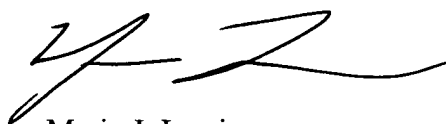
under 35 U.S.C. 103(a) as being unpatentable over Craig in view of Rubin et al. (USPN 5,809,140). Claims 15, 23, and 35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Craig in view of Japan Patent Publication No. 07-058749 to Takiyasu et al. Claims 16, 24, 27-28, and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Craig in view of Kamper et al. (USPN 6,654,797). Claims 3-4, 8-11, 15-16, 19-21, 23-24, 27-28, 31-33, and 35-36 are dependent claims which recite additional limitations to the independent claims discussed above. Accordingly, Applicant respectfully submits that claims 3-4, 8-11, 15-16, 19-21, 23-24, 27-28, 31-33, and 35-36 are patentably distinct from the cited references for at least the reasons discussed above.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-04202/BNK.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mario J. Lewin', with a stylized, flowing script.

Mario J. Lewin
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